

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MISTY PICKETT and CHANTELLE
KREUTTER, derivatively on behalf of
TELADOC HEALTH, INC.,

Plaintiff,

- v. -

JASON GOREVIC, ADAM C.
VANDERVOORT, DAVID B. SNOW, JR.,
ARNEEK MULTANI, THOMAS G.
MCKINLEY, WILLIAM H. FRIST, MICHAEL
GOLDSTEIN, HELEN DARLING, DAVID
SHEDLARZ, KENNETH H. PAULUS, BRIAN
MCANDREWS, MARK D. SMITH, MARK
HIRSCHHORN, JAMES OUTLAND, MARTIN
R. FELSENTHAL, DANA G. MEAD, JR., and
THOMAS MAWHINNEY,

Defendants,

and

TELADOC HEALTH, INC.,

Nominal Defendant.

Case No. 1:19-cv-5875-GHW-BCM

**NOTICE OF MOTION TO DISMISS
THE VERIFIED STOCKHOLDER DERIVATIVE
COMPLAINT PURSUANT TO RULE 23.1**

PLEASE TAKE NOTICE THAT, upon the accompanying memorandum of law, the declaration of Audra. J. Soloway and the exhibits annexed thereto, and all other papers and proceedings herein, nominal defendant Teladoc Health, Inc. and defendants Jason Gorevic, Adam C. Vandervoort, David B. Snow, Jr., Arneek Multani, Thomas G. McKinley, William H. Frist, Michael Goldstein, Helen Darling, David Shedlarz, Kenneth H. Paulus, Brian McAndrews,

Mark D. Smith, Mark Hirschhorn, James Outland, Martin R. Felsenthal, Dana G. Mead, Jr., and Thomas Mawhinney, by and through their attorneys, hereby respectfully move this Court, before the Honorable Barbara Moses, United States Magistrate Judge, United States District Court for the Southern District of New York, Daniel Patrick Moynihan Courthouse, 500 Pearl Street, Room 740, New York, New York 10007, for an order, pursuant to Federal Rule of Civil Procedure 23.1 and Delaware substantive law, dismissing the Verified Stockholder Derivative Complaint (ECF No. 72) on a date and time to be set by the Court. The grounds for this motion are set forth in the accompanying memorandum of law.

Dated: July 6, 2020

Respectfully submitted,

PAUL, WEISS, RIFKIND, WHARTON &
GARRISON LLP

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